

REMARKS

Entry of the foregoing, and reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. §1.116, and in light of the comments which follow, are respectfully requested.

By the foregoing amendment, Claims 16, 19, 31 and 32 have been amended to refer to the amino acid sequence listing identifiers 2 and 4. Support for these amendments is present in the specification, e.g., at page 2, third full paragraph.

Entry of the foregoing amendments is requested since no new issues are believed to be raised by reference to the amino acid sequences of SEQ ID NOS: 2 and 4. The issues under consideration are also reduced by entry of the amendment since the application is in better form for appeal.

Turning now to the Official Action, Claims 16, 19, 31 and 32 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter not adequately described in the specification for the reasons noted in paragraph (5) of the Official Action. Claims 16, 19, 31 and 32 also stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for the reasons noted in paragraph (6) of the Official Action. Applicant respectfully traverses these rejections for at least the following reasons.

In the Official Action, it is asserted that claims are unclear since they refer to nucleic acid sequences rather than amino acid sequences.

Applicants respectfully submit that the recitation of "SEQ ID NO: 1" and "SEQ ID NO: 2" creates no uncertainty since one skilled in the art would recognize that these sequences list both the nucleic acid sequences and the amino acid sequences. One skilled in the art could

readily distinguish between the two sequences. There is nothing ambiguous or indefinite about the use of these sequence identifiers.

Nonetheless, the claims have been amended to recite just the amino acid sequences by reference to "SEQ ID NO: 2" and "SEQ ID NO: 4" instead. These sequences recite only the amino acid sequences of the proteins. As such, the meaning of the claims is clear and adequately described in the specification.

For at least the foregoing reasons, withdrawal of the rejections under 35 U.S.C. § 112, first and second paragraphs is requested.

Claims 19, 31 and 32 further stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for the reasons noted in paragraph (7) of the Official Action. Applicant respectfully traverses these rejections for at least the following reasons.

In the Official Action, it is asserted that the claims do not recite a method step. Applicants respectfully disagree.

As amended, Claim 19 recites that the method comprises "isolating" proteins having the coded amino acid sequences of SEQ ID NOS: 2 or 4. As such, the claims recite an active method step. Applicants respectfully submit that the former language of the claims reciting "providing isolated proteins" should be considered to be a "method step" which sufficiently sets forth the method for one of skill in the art. In any event, the foregoing amendment is nonetheless submitted in the interest of utilizing language which more clearly recites such a step.

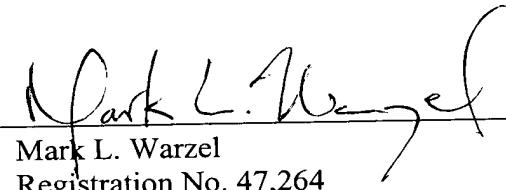
Accordingly, Claims 19, 31 and 32 are believed to be clear within the meaning of the second paragraph of 35 U.S.C. § 112. Withdrawal of the second paragraph rejection is requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is requested.

Application No. 09/403,724
Attorney's Docket No. 030708-035

If the Examiner has any questions concerning this response, or the application in general, she is invited to telephone the undersigned.

Respectfully submitted,
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Marked up version of Claims 16, 19, 31 and 32

16. (twice amended) Isolated neurotrypsins having the amino acid sequences of formulas I and II:

- I: neurotrypsin of the human (SEQ ID NO: [1] 2); and
- II: neurotrypsin of the mouse (SEQ ID NO: [3] 4).

19. (twice amended) A method for the development of pharmaceutical drugs comprising,

[providing isolated] isolating proteins having the coded amino acid sequences of SEQ ID NOS: [1] 2 or [3] 4 and using said proteins as targets for said pharmaceutical drugs.

31. (amended) The method of claim 19, wherein said pharmaceutical drugs inhibit or enhance the catalytic activity of the coded proteins having the coded amino acid sequences of SEQ ID NOS: [1] 2 or [3] 4.

32. (amended) The method of claim 19, wherein said proteins having the coded amino acid sequences of SEQ ID NOS: [1] 2 or [3] 4 are obtained by purification of a natural source, or are produced by recombinant protein expression using eucaryotic or procaryotic expression vectors, followed by purification of the proteins.